

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DIVISION, GREAT LAKES AND OHIO RIVER
CORPS OF ENGINEERS
P.O. BOX 1159
CELRD-OR-HR CINCINNATI, OH 45201-1159

Pamphlet
No. 690-1-10

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Civilian Personnel
Sick Leave and Other Leave for Medical and Family Concerns

Local supplementation of this pamphlet is permitted for implementation of individual commander's policies and procedures. Four copies of supplements will be furnished to Commander, U.S. Army Engineer Division; Great Lakes and Ohio River; ATTN: CELRD-OR-HR; P.O. Box 1159; Cincinnati, OH 45201-1159.

1. Purpose. To communicate policies and procedures for granting leave under a variety of programs designed to assist employees in balancing work and family as well as work and health. A summary of these programs follows:

a. Family Friendly Leave allows employees to use specified amounts of sick leave to care for family members or for purposes related to the death of a family member. See Appendix A.

b. Employees may use sick leave for adoption and specified amounts of paid leave in order to serve as a bone marrow or organ donor. See Appendix B.

c. The Family and Medical Leave Act established the entitlement for covered Federal employees to use a total of 12 administrative workweeks of unpaid leave during any 12-month period for specific health and family issues. See Appendix C.

d. The Voluntary Leave Transfer Program allows the unused accrued annual leave of one employee to be transferred for use by another employee who needs such leave because of a medical

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emergency (including a family member's medical emergency), which will result in a substantial loss of income to the employee because of the unavailability of paid leave. See Appendix D.

Employees at CELRD activities participating in a Voluntary Leave Bank program are also covered by the provisions of CELRD Pamphlet 690-1-9, Voluntary Leave Bank Program, which allows the unused accrued annual leave of one employee to be contributed to a leave bank for use by a leave bank member who needs such leave because of a medical emergency, (including a family member's medical emergency).

2. General.

a. Many situations leading to the need for sick leave and other leave for medical and family concerns are unplanned and may require that the employee devote his/her entire attention to getting well or coping with a family member's illness or death. Regardless of the severity of the circumstances, however, the employee is responsible for following established procedures (or ensuring that someone does so on his/her behalf, as appropriate) to provide notification of the need for leave and to obtain approval for the use of leave as required.

b. This pamphlet provides the requirements for requesting approval for various types of leave; describes those situations for which advance approval is required, those that require notification of the need for leave (subject to further restriction by the employer), those for which the employee may invoke entitlement; and the requirements for invoking entitlement including advance notice requirements. Local activity policy and procedures established by individual supervisors will be followed in providing notice and requesting approval.

c. The personal nature of the circumstances necessitating leave may create widely varied patterns of leave use. An employee could potentially use a number of different types of leave for the same medical problem. As an example, an employee could use sick and annual leave for his/her own medical emergency or that of a family

member, that could invoke entitlement to Family and Medical Leave, and subsequently request to become a leave recipient under the Voluntary Leave Transfer Program for absence covered by Family and Medical Leave. If the employee needed additional leave at the expiration of Family and Medical Leave, he/she could request it. If approved for additional leave, the employee could continue receiving leave donations under the Voluntary Leave Transfer Program (subject to meeting requirements for that program).

3. Applicability. Except as noted for the Family and Medical Leave Act, provisions of this pamphlet apply to all civilian employees of the Great Lakes and Ohio River Division. Family and Medical Leave Act provisions described in this pamphlet apply to civilian employees of the Great Lakes and Ohio River Division who have completed 12 months of creditable civilian service as defined in Appendix C. Certain other employees (i.e., employees serving under an intermittent appointment or temporary appointment with a time limitation of one year or less, part time employees who do not have an established regular tour of duty during the administrative work week, and Executive Schedule employees) are covered by separate provisions of the Family and Medical Leave Act. These employees should contact the servicing CPAC/Human Resources Office for information about their entitlements.

4. References.

- a. Title II of the Family and Medical Leave Act, Public Law 103-3.
- b. Title 5, U.S.C.
- c. 5 C.F.R., Parts 630 and 890.

5. Use of Sick Leave.

Subject to the limitations on the amount of leave which may be used for family care or bereavement (see Appendix A), sick leave will be granted to an employee when the employee:

a. Receives medical, dental, or optical examination or treatment;

b. Is incapacitated for the performance of duties by physical or mental illness, injury, pregnancy, or childbirth;

c. Provides care for a family member as a result of physical or mental illness; injury; pregnancy; childbirth; or medical, dental, or optical examination or treatment;

d. Makes arrangements necessitated by the death of a family member or attends the funeral of a family member;

e. Would jeopardize the health of others by his or her presence on the job because of exposure to a communicable disease (as determined by the health authorities having jurisdiction or by a health care provider); or

f. Must be absent from duty for purposes relating to the adoption of a child, including appointments with adoption agencies, social workers, and attorneys; court proceedings; required travel; and any other activities necessary to allow the adoption to proceed.

6. Sick Leave Accrual and Accumulation.

a. Full-time employees earn sick leave at the rate of one-half day for each full biweekly pay period. Part-time employees earn 1 hour for each 20 hours in a pay status.

b. A maximum of 30 days sick leave may be advanced for serious disability or ailment when required by the exigencies of the situation. An employee serving under a limited appointment or one which will be terminated on a specified date may be advanced up to the total amount of sick leave the employee would otherwise earn during the term of the appointment.

7. Recredit of Sick Leave.

a. When an employee transfers between positions subject to the leave provisions of Title 5, the agency from which the employee transfers shall certify his or her sick leave account to the new employing agency for credit or charge.

b. Except for reemployed annuitants, an employee who has had a break in service is entitled to a recredit of sick leave (without regard to the date of his or her separation), if he or she returns to Federal employment on or after 2 December 1994, unless the sick leave was forfeited upon reemployment in the Federal Government before 2 December 1994.

8. Requests for Sick Leave. Local requirements (including any requirement for submitting a written request) and time limits will be followed in requesting approval for leave whether the absence results from the employee's illness or that of a family member. Employees will request advance approval for sick leave for the purposes of receiving medical, dental, or optical examination or treatment and, to the extent possible, for the purposes of caring for a family member, for leave associated with the death of a family member, and for adoption.

9. Supporting Evidence. Sick leave will be granted only when supported by evidence administratively acceptable to the employer. Regardless of the duration of the absence, the employer may consider an employee's certification as to the reason for his or her absence as evidence administratively acceptable. However, for an absence in excess of 3 workdays, or for a lesser period when determined necessary by the employer, a medical certificate or other administratively acceptable evidence may be required to substantiate the reason for an absence for any purpose for which sick leave may be approved. Local policies will govern the requirements for submission of evidence.

10. Use of Sick Leave During Annual Leave or in Conjunction with Eligibility for Donated Leave.

a. Subject to the provisions of paragraph 5 above, the employer may grant sick leave during a period of annual leave for any purpose for which sick leave may be approved.

b. If an employee desires to become a leave recipient under the voluntary leave transfer program (or an established leave bank program) because of a family member's medical emergency, the employee will be required to use the sick leave available for caring for a family member before becoming eligible for transferred leave (or leave from a leave bank). This requirement applies to any application to be a leave recipient approved on or after 2 December 1994.

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11. Use of Sick Leave While Using Family and Medical Leave. As described in Appendix C, Family and Medical Leave, an employee may elect to substitute paid time off, including sick leave, for leave without pay under the FMLA. When FMLA leave is being used because of a family member's illness, employees may use sick leave consistent with the limitations for such use.

12. Sick Leave Used in Computation of Annuity. Sick leave which is used in the computation of an employee's annuity will be charged against the employee's sick leave account and may not subsequently be used, transferred, or credited.

FOR THE COMMANDER:

/S/
THOMAS C. SUERMANN
Colonel, Corps of Engineers
Deputy Commander

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Care and Bereavement
APP B -- Sick Leave for Adoption
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